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**EASTMAN KODAK COMPANY
PATENT LEGAL STAFF
343 STATE STREET
ROCHESTER, NEW YORK 14650-2201**

DATE: February 15, 2005

TO: Examiner Jack W. Lavinder FAX NO. 703-872-9306
Group Art Unit 3677
U.S. PATENT OFFICE

FROM: Frank Pincelli FAX NO. (585) 477-4646
PHONE NO. 585-588-2728

RE: U.S. Serial No. 10/607,185 Filed June 26, 2003
David L. Patton et al
Method for Marking Gemstones With a Unique Micro Discrete
Indica
ATTORNEY DOCKET NO. 83981BF-P

Total Pages Including Cover Sheet 3

Docket 83891BF-P
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David L. Patton, et al

METHOD FOR MARKING
GEMSTONES WITH A UNIQUE
MICRO DISCRETE INDICIA

Serial No. 10/607,185

Filed 26 June 2003

Group Art Unit: 3677

Examiner: Jack W. Lavinder

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I hereby certify that this correspondence was sent
by facsimile transmission to the United States
Patent and Trademark Office on the date set forth
below.

Jack W. Lavinder
Date
2/15/05

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

NOTICE OF APPEAL

Applicants hereby appeal(s) to the Board of Patent Appeals and
Interferences from Primary Examiner's decision dated November 15, 2004, finally
rejecting claims 1, 2 and 4-6.

Please charge any fees for this communication to Eastman Kodak
Company Deposit Account No. 05-0225. (A duplicate copy of this Notice is
enclosed.)

Respectfully submitted,

Frank Pincelli
Frank Pincelli/das

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the
Examiner is requested to communicate with Eastman Kodak Company Patent Operations at
(585) 477-4656.